

Regulatory Analysis

Notice of Intended Action to be published: Iowa Administrative Code 761—Chapter 131
“Signing on Primary Highways”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 314.31

State or federal law(s) implemented by the rulemaking: Iowa Code section 314.31

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

October 11, 2024
9 to 9:30 a.m.

[Microsoft Teams link](#)
Or dial: 515.817.6093
Conference ID: 498 055 690

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis. Written comments in response to this Regulatory Analysis must be received by the Department of Transportation no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Chris Poole
800 Lincoln Way
Ames, Iowa 50010
Email: chris.poole@iowadot.us

Purpose and Summary

This proposed chapter lays out uniform requirements, responsibilities, and procedures for requesting the installation of Medal of Honor signs on U.S. Route 20 across Iowa. The purpose of these signs is to raise awareness of the brave members of the U.S. armed forces that defend our country.

Analysis of Impact

1. Persons affected by the proposed rulemaking:
 - Classes of persons that will bear the costs of the proposed rulemaking:
Private entities that apply for signage will bear the costs of the proposed rulemaking.
 - Classes of persons that will benefit from the proposed rulemaking:
All Iowans will benefit from signs that raise awareness of the U.S. armed forces.
2. Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:
 - Quantitative description of impact:
Fabrication and installation of a typical Medal of Honor sign costs the applicant approximately \$400.
 - Qualitative description of impact:
The U.S. armed forces benefit from the increased awareness.
3. Costs to the State:
 - Implementation and enforcement costs borne by the agency or any other agency:

None. Responding to requests and contacting applicants when repairs are needed can be handled by existing staff as part of regular assigned duties.

- Anticipated effect on state revenues:

None.

4. Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:

The benefits of continuing to allow the installation of Medal of Honor signs on U.S. Route 20 outweigh the costs of implementing the rulemaking.

5. Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:

The process for signing the Iowa Medal of Honor Highway is well-established, noncontroversial, and very similar to other types of signing programs administered by the Department that are covered in a Department operational manual. As such, the process for signing the Medal of Honor Highway could also be covered in a Department operational manual. This would allow for Iowa Code section 314.31 to be repealed and Chapter 131 to be rescinded.

6. Alternative methods considered by the agency:

- Description of any alternative methods that were seriously considered by the agency:

None. This chapter is required by Iowa Code section 314.31.

- Reasons why alternative methods were rejected in favor of the proposed rulemaking:

Not applicable.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

There is no impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind 761—Chapter 131 and adopt the following **new** chapter in lieu thereof:

CHAPTER 131 SIGNING ON PRIMARY HIGHWAYS

761—131.1(314) Contact information. Information regarding the signing addressed in this chapter is available from: Traffic and Safety Bureau, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010. Submissions to the traffic and safety bureau may also be sent or delivered to this address. Additional information and guidance may be found at www.iowadot.gov/traffic/Library/Traffic-and-Safety-Manual.

761—131.2(314) Signing for Iowa medal of honor highway. This rule establishes the conditions and procedures for private entities to purchase and pay for the installation of signs designating the Iowa medal of honor highway.

131.2(1) Definition.

“Iowa medal of honor highway” means the segment of the highway known as United States Highway 20, as designated as of June 17, 2020, that crosses this state from Sioux City to Dubuque.

131.2(2) Conditions.

a. The number of signs within the highway right-of-way is limited to one sign at each end of the Iowa medal of honor highway for traffic entering the state and one sign at each entry point of the corporate limits of each city through which the Iowa medal of honor highway passes.

b. Each sign is to match the design approved and provided by the department, and the sign materials are to comply with departmental standard specifications as they exist at the time of fabrication. The departmental standard specifications can be found on the department’s electronic reference library at www.iowadot.gov/erl.

c. Once signs are installed at one of the approved locations, no additional requests will be accepted for that location. When signs have been installed at all locations identified in paragraph 131.2(2)“a,” no further requests will be accepted.

d. The applicant may purchase a sign from the department’s sign shop or from a private sign fabricator. If an applicant chooses to obtain a sign from a private sign fabricator, the department will furnish the sign design and approve the construction prior to purchase. The department will also inspect the sign as stated in subrule 131.2(5).

e. Signs designating the Iowa medal of honor highway are furnished and paid for by the applicants, including any replacements needed due to sign deterioration or damage. Each applicant is responsible for providing the traffic and safety bureau with the applicant’s current contact information so the applicant can be contacted when a replacement sign is needed. Failure to provide current information may result in removal of all signs the applicant purchased. This would allow a new private entity to sponsor the signing.

f. The applicant is responsible for the cost to install the sign, including the posts and hardware.

g. The department will install the sign.

131.2(3) Procedures. Requests to purchase or install a sign are submitted to the traffic and safety bureau and contain the following:

a. The applicant’s name and contact information.

b. A description of the location where the sign is to be installed.

c. A statement as to whether the sign will be purchased from the department or from a private sign fabricator.

131.2(4) Approval. If the request complies with this rule, the traffic and safety bureau will respond to the applicant with approval of the proposed location or modified location and an estimate of the costs for the sign and installation. Following inspection of the sign in compliance with subrule 131.2(5), the department will install the sign and bill the applicant.

131.2(5) Inspection. If a sign is not purchased from the department’s sign shop, the applicant is to deliver the sign to the department’s sign shop for inspection. Upon receipt of the sign, the department will inspect the sign for compliance with the approved sign design and departmental specifications and notify the applicant.

These rules are intended to implement Iowa Code section 314.31.